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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,786	09/20/2000	Akihiro Morohashi	7217/62593	6137

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EXAMINER

TRAN, THANG V

ART UNIT

PAPER NUMBER

2653

DATE MAILED: 11/19/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/665,786	MOROHASHI, AKIHIRO
	Examiner Thang V. Tran	Art Unit 2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-25 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-8,10,13-20,22 and 25 is/are rejected.
- 7) Claim(s) 9,11,12,21,23 and 24 is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ .	6) <input type="checkbox"/> Other: ____ .

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8, 10, 13-20, 22 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Yanase et al. (EP 0 909 089 A1) cited by Applicant.

Yanase et al., according to Figs. 1-23, show a signal processor comprising all the limitation as recited in the instant claimed invention as interpreted below.

Regarding claims 1, 13 and 25, see Figs. 1-4, which show a communication system comprising: a first apparatus (server 3 or 41, 43, 25) having first storage medium (disk in hard disk drive) and a second apparatus (server 2 or 30,33) for transmitting data to the first apparatus (server 3 or 41, 43, 25), wherein the second apparatus (server 2 or 30, 33) having a second storage medium (disk in hard disk drive) for storing management information to be transferred to the first storage medium; a communication means (transmission circuit) for communicating data with the first apparatus; edit means ((4A-4N or 34A-34N, 40A-40C) capable of editing the management information ; and control means (5 or 26) for controlling transfer of data stored in a second storage medium in a second apparatus (server 2 or 30, 33) to the first storage medium in the first apparatus (server 3 or 41, 43, 25) by way of communication means based on the information edited by the editing means (4A-4N or 34A-34N, 40A-40C).

Regarding claims 2 and 14, see respective disclosure of an off-line EDL forming system 22 in Fig. 4.

Regarding claims 3 and 15, see information displaced on the monitor of the EDL forming devices 34A-34N in Fig. 4.

Regarding claims 4, 5, 16 and 17, see information related to an operator and the EDL forming devices in column 10, line 45 through column 13, line 10.

Regarding claims 6, and 18, see information related to a buffer 37 and the EDL forming devices in column 11, lines 14-58.

Regarding claims 7 and 19, see information displaced on the monitor of the EDL forming devices 34A-34N in Fig. 4.

Regarding claims 8 and 20, see the operation of control unit 26.

Regarding claims 10 and 22, see information related to an operator in column 10, line 45 through column 13, line 10.

#### *Allowable Subject Matter*

3. Claims 9, 11, 12, 21, 23 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

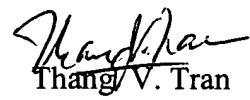
Claims 9, 11, 12, 21, 23 and 24 are allowable over the prior art of record because the prior art of record considered in combination or individually, fails to suggest or fairly teach a communication system including all limitations as recited in each of claims 9, 11, 12, 21, 23 and 24.

*Cited references*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references relate to an apparatus for controlling and transferring information from one apparatus to another apparatus based on edited data.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thang V. Tran whose telephone number is (703) 308-1551. The examiner can normally be reached on Tuesday to Friday, from 7:30AM to 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
Thang V. Tran  
Primary Examiner  
Art Unit 2653